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# **2008 NCLB Interpretive Guide Detailed Information About Your Score Reports**



**KENTUCKY DEPARTMENT OF EDUCATION**  
**Jon Draud, Commissioner**



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## **Introduction**

Characterized in statute as, "An Act to close the achievement gap with accountability, flexibility, and choice, so that no child is left behind," the 2001 re-authorization of the Elementary and Secondary Education Act of 1965 carries the short title, "No Child Left Behind (NCLB) Act of 2001."

The 2001 re-authorization of the Elementary and Secondary Education Act of 1965 was signed into federal law January 8, 2002. Characterized in the statute as, "An Act to close the achievement gap with accountability, flexibility, and choice, so that no child is left behind," it carries the short title, "No Child Left Behind (NCLB) Act of 2001." Accountability measures required by the Act are, in many respects, comparable to those comprising Kentucky's school accountability and testing system. For example, Kentucky set goals for Proficient student performance, and established a support system for schools in assistance via the Kentucky Educational Reform Act (KERA) of 1990 and House Bill 58 passed in 1998.

Like Kentucky, many states have modified and/or supplemented their student assessments to comply with the federal statute and now use assessment results to make both federal and state accountability decisions. Kentucky has retained its accountability system, while working to comply with the federal mandate. It accomplishes this through a two-dimensional system in which state and federal requirements are complementary. The United States Department of Education (USDOE) continues to issue additional guidance on how states may or may not implement the federal law.

Kentucky law authorizes the Kentucky Board of Education (KBE) to implement final assessment and accountability policy decisions after receiving advice from stakeholder committees. The following committees advise and review all NCLB implementation proposals developed by the Kentucky Department of Education (KDE):

- The National Technical Advisory Panel on Assessment and Accountability (NTAPAA)
- The School Curriculum, Assessment and Accountability Council (SCAAC)
- The Legislative Education Assessment and Accountability Review Subcommittee (EAARS).

Kentucky has adopted and implemented goals that it shares with NCLB.

Kentucky's assessment and accountability system has been a national model.

Kentucky's system of public education has been a national model for years. Well before NCLB was signed into law, Kentucky adopted and implemented goals it shares with NCLB, including:

- High expectations for all students,
- Rigorous student performance standards and descriptions tied to annual assessments,
- Multiple content-based and performance-referenced assessments measuring what students know and can do (such as applying higher-order thinking skills in reading and mathematics),

- 
- School and district accountability,
  - School report cards providing performance information to parents,
  - And, most significant, a goal of Proficiency by the year 2014.

In addition to having implemented a system of assessments, Kentucky has established school rewards and consequences, required school improvement plans, conducted scholastic audits, and assigned highly-skilled educators to support schools in assistance. Further, Kentucky has published student assessment results disaggregated by subpopulation and has implemented a unified data collection and reporting system.

NCLB requires that assessment results be made available and Adequate Yearly Progress (AYP) determinations be made prior to the start of the next school year. The 2008 NCLB Interpretive Guide is designed to explain how key provisions of NCLB are implemented in Kentucky and how NCLB requirements compare to those of the state dimension. It includes a sample of the 2008 NCLB school and district federal accountability reports to be released in August 2008. A table of definitions with references and comments is located in this Guide in Appendix A.

If you have questions about the federal accountability rules under NCLB, please visit our website at <http://www.education.ky.gov> or contact the Division of Assessment Support at 502-564-4394.

Adequate Yearly Progress (AYP) is the term used in NCLB to refer to the minimum improvement required of each school and district.

As the term implies, progress toward NCLB academic goals is evaluated annually.

## **Adequate Yearly Progress (AYP)**

Adequate Yearly Progress (AYP) is the term used in NCLB to refer to the minimum improvement required of each school and district over the course of one year. It is measured at the school and district levels by:

- Measuring growth in the percentage of students scoring Proficient or above in reading and mathematics in grades 3-8, reading grade 10, and mathematics grade 11.
- Assessing improvement on the "other academic indicator."
- Testing at least 95% of enrolled students and student subpopulations of sufficient size.

Schools are held accountable only for those students who have been enrolled for a full academic year.

## **Full Academic Year**

While schools must test all enrolled students and all tested students must be included in the NCLB Participation Rate count, schools are held accountable only for those students enrolled for a “full academic year.”

*Any 100 days of enrollment during the school year up to and including the first day of the testing window.*

## **AMO Sufficient Size**

Before data are reported for an AMO for a subpopulation, it must be determined that the subpopulation is of sufficient size.

Since subpopulation data are included in NCLB accountability for determining AYP, it must be determined that the subpopulation is of *sufficient size* before evaluating performance against an Annual Measurable Objective (AMO). NCLB allows states to define sufficient size for an accountable subpopulation at a school. Kentucky's NTAPAA recommended the adoption of a "10 per grade, and 60 per school or 15%" rule. This means that for a school to be held accountable for a subpopulation:

There must be at least 10 students in that subpopulation per accountability grade tested per year,

**and**

(a) 60 subpopulation students school-wide in the KCCT grades;

**or**

(b) Subpopulation count comprises 15% of all students in the KCCT grades.

**Three components are considered in determining whether or not a school/district makes AYP:**

- (1) Meeting AMOs in Reading and Mathematics;
- (2) Showing progress on the required "other academic indicator," (prior year of the CATS biennial or mid-point classification at elementary and middle school and prior year of the graduation rate in high school); and
- (3) Testing at least 95% of enrolled students and student subpopulations of

## **Participation Rate for Sufficient Size**

There must be at least 10 students per grade and 60 students overall to calculate Participation Rate for 2008.

## **AYP Decision Components**

The following three components are considered in determining whether or not a school/district makes AYP.

### **(1) Annual Measurable Objectives (AMOs) in Reading and Mathematics (% Proficient Goals)**

All schools in a grade level have the same objectives (starting points and targets). The objectives are expressed as the percent of students at Proficient or above, computed separately in reading and in mathematics. (Starting points and AMOs by year are given on page 8 of this Interpretive Guide.) The federal goal is for all students and

subpopulations *of sufficient size* to score at Proficient or above by 2014 in both reading and mathematics.

NCLB weighs Distinguished the same as Proficient; however, Kentucky's Accountability Index, based on a weighted average, permits Distinguished to partially compensate for below-Proficient performance.

The goal for the Commonwealth Accountability Testing System (CATS) is for all schools to have an accountability index of 100 by 2014. Kentucky's Accountability Index, based on a weighted average, permits Distinguished to partially compensate for below-Proficient performance. This compensation feature is absent in NCLB. AMOs reflect un-weighted percentages of students at or above Proficient. Distinguished performance carries no benefit over Proficient performance in federal accountability. Further, higher scores in one of the two content areas do not compensate for lower scores in the other.

While Kentucky values performance in seven Core Content areas, federal requirements currently value performance in reading and mathematics exclusively. While NCLB required by 2006 the assessment of science once in elementary, in middle, and in high school, science is not required currently to be included in the AYP calculations for NCLB. Note: science continues to be a component of CATS.

A way to demonstrate value for all Kentucky Core Content areas, as well as for the non-academic goals, is to designate the CATS biennial or mid-point classification as the "other academic indicator" required by NCLB at the elementary and middle school levels.

## **(2) Progress on the Other Academic Indicator: The CATS biennial or mid-point classification at Elementary and Middle School and Graduation Rate in High School**

Elementary and middle school levels: Besides increasing the percentages of students scoring at Proficient or above in reading and mathematics, NCLB requires the use of an "*other academic indicator*" in determining a school or district's AYP. This provided a way for Kentucky to demonstrate value for all Core Content areas, as well as for its nonacademic goals. Beginning with the 2005 NCLB report, the CATS biennial or mid-point classification has been used as the other academic indicator required by NCLB at the elementary and middle school levels. This indicator will be considered to be met if a school is classified as progressing (any category), meets goal, or if in assistance the school has demonstrated growth in the accountability index at or above the state average for the specific grade-level configuration. Without reducing their focus on reading and mathematics, schools will also be credited for their students' progress in science, social studies, arts and humanities, practical living/vocational studies and writing.

Graduation rate will be used as the additional academic indicator at the high-school level.

High school level: NCLB requires that the other indicator include graduation rate. As part of meeting AYP, NCLB requires all high schools to show improvement in their graduation rates. Kentucky chose not to expand the additional academic indicator beyond graduation rate at the high school level.

The USDOE allows inclusion of students who take more than four years to graduate, provided that the additional schooling time is stipulated in the student's IEP and the student qualifies for a standard diploma.

Graduation rates are collected with other nonacademic data (e.g. dropout and retention), which are lagged by one year compared to the academic data used for NCLB and CATS. Graduation rate for 2007 is defined as the quotient of:

[number of 2007 on-time completers (standard diploma within 4 years, including students with disabilities whose Individual Education Plan (IEP) stipulate they will need more than four years to obtain a standard diploma)]

-----divided by-----

[number of 2007 all completers (includes standard diplomas plus certificates of completion plus students with no IEP who will take longer than four years to graduate) **plus** number of 2007 12th grade dropouts **plus** the number of 2006 11th grade dropouts **plus** number of 2005 10th grade dropouts **plus** number of 2004 9th grade dropouts]

Kentucky gives credit for certificates of completion awarded to Kentucky's most severely disabled students. Kentucky values the performance of these students as much as that of regular-diploma students. *However, the USDOE does not permit states to count certificates of completion in calculating graduation rate.* It allows credit only for those students receiving regular high school diplomas in four or fewer years. Students with disabilities, who have IEPs documenting their need for more than four years of instruction to complete high school, and qualify for a standard diploma, are considered graduates for NCLB calculation purposes.

The state goal is 98% graduation rate by 2014. Since graduation rate is lagged one year, the goal for 2008 for determining school/district AYP is the target for 2007, or 82.25.

NCLB growth in the graduation rate means:

- (a) a graduation rate that is equal to or greater than the corresponding annual goal or,
- (b) a graduation rate that exceeds that of the prior year.

The State goal is 98% graduation rate by 2014.

Since graduation rate is lagged one year, the goal for 2008 for determining school/district AYP is the target for 2007, or 82.25.

**Graduation Rate Target  
Each Year From 2004 - 2014**

Year	Graduation Rate Goal
2004	75.50
2005	77.75
2006	80.00
<b>2007</b>	<b>82.25</b>
2008	84.50
2009	86.75
2010	89.00
2011	91.25
2012	93.50
2013	95.75
2014	98.00

**(3) Testing of at Least 95% of Enrolled Students  
& Subpopulations of Sufficient Size**

To meet AYP, the school/district as a whole and each subpopulation of sufficient size must have at least a 95% participation rate.

*To meet AYP, the school/district as a whole and each subpopulation of sufficient size must have at least a 95% participation rate.*

Components (1) and (3) apply to every school; while (2), the “other academic indicator” applies differently to elementary and middle schools (CATS biennial or mid-point classification) vs. high schools (graduation rate). Accountability decisions for P-8, P-12 and 7-12 schools use a combination. See the table below for NCLB accountability components by school configuration.

NCLB Accountability Components by School Configuration					
AMO Targets			95% Testing	Other Academic Indicator	
School Configuration	Reading AMO	Math AMO	Participation Rate	CATS Classification	Graduation Rate
Elementary	♦	♦	♦	♦	
Middle	♦	♦	♦	♦	
High	♦	♦	♦		♦
P- 8	♦	♦	♦	♦	
P- 12	♦	♦	♦	♦	♦
7- 12	♦	♦	♦	♦	♦

NCLB accountability requires that all schools evaluate progress (AYP) against the same starting-point, percentage Proficient or above.

**Starting Points and Annual Measurable Objectives (AMOs)**

To compute AMOs in compliance with NCLB, Kentucky must apply to all schools a uniform percentage-Proficient-or-above baseline. This baseline must correspond to the 20th percentile of the distribution of all Kentucky schools. The 20th percentile starting points in reading



and mathematics were calculated separately at the elementary, middle and high school levels. The reading and mathematics starting points for each school level are used for determining AMOs for each student subpopulation required by NCLB (i.e., students with disabilities, poverty, ethnicity, and limited English proficiency).

*The chart displays the starting points from 2001-2002 and the AMOs from 2002-2014 for both reading and mathematics. School configurations are listed across the top of the chart.*

**AMOs in Reading and Mathematics  
by School Year and School Configuration**

School Year	School Configuration											
	Elementary		Middle		High		Primary – 08		Primary - 12		07 –12	
	Reading	Math	Reading	Math	Reading	Math	Reading	Math	Reading	Math	Reading	Math
2001-02	47.27	22.45	45.60	16.49	19.26	19.76	46.44	19.47	37.38	19.57	32.43	18.13
2002-03	47.27	22.45	45.60	16.49	19.26	19.76	46.44	19.47	37.38	19.57	32.43	18.13
2003-04	47.27	22.45	45.60	16.49	19.26	19.76	46.44	19.47	37.38	19.57	32.43	18.13
2004-05	53.86	32.14	52.40	26.93	29.35	29.79	53.14	29.54	45.21	29.62	40.88	28.36
2005-06	53.86	32.14	52.40	26.93	29.35	29.79	53.14	29.54	45.21	29.62	40.88	28.36
2006-07	53.86	32.14	52.40	26.93	29.35	29.79	53.14	29.54	45.21	29.62	40.88	28.36
2007-08	60.45	41.84	59.20	37.37	39.45	39.82	59.83	39.60	53.04	39.68	49.32	38.60
2008-09	67.04	51.53	66.00	47.81	49.54	49.85	66.53	49.67	60.86	49.73	57.77	48.83
2009-10	73.64	61.23	72.80	58.25	59.63	59.88	73.22	59.74	68.69	59.79	66.22	59.07
2010-11	80.23	70.92	79.60	68.68	69.72	69.91	79.92	69.80	76.52	69.84	74.66	69.30
2011-12	86.82	80.61	86.40	79.12	79.82	79.94	86.61	79.87	84.35	79.89	83.11	79.53
2012-13	93.41	90.31	93.20	89.56	89.91	89.97	93.31	89.93	92.17	89.95	91.55	89.77
2013-14	100.0	100.0	100.0	100.0	100.0	100.0	100.0	100.0	100.0	100.0	100.0	100.0

NCLB uses the term  
“starting points.”

CATS uses the term  
“baselines.”

NCLB requires that AMOs increase at least every three years. The KBE adopted the approach of establishing two, three-year plateaus of performance toward the goal of 100% proficiency. Kentucky has established separate reading and mathematics AMO targets for elementary, middle, and high school grades.

The term “starting points” is used when referring to NCLB beginning values. This term distinguishes the NCLB beginning values from Kentucky “baselines,” the beginning values used in CATS Accountability Index comparisons. Starting points and targets are expressed as the percent of students at Proficient or above. The starting points and targets are the same for all students and all subpopulations of sufficient size in all schools/districts per grade level configuration.

NCLB allows the flexibility of one starting point for reading and one for mathematics for all grade levels combined or one in each content area for each grade level. Kentucky chose to use separate starting points and goals per grade level. This decision recognizes the difference in each grade level and does not force a one-size-fits-all approach.

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NCLB specifies how the starting points must be set. The process for each school level (elementary, middle, and high) was the same for reading and mathematics. The following steps were used to produce starting points for elementary reading:

For establishment of starting points, the “at or above” Proficient percentage is the number of students scoring Proficient (P) & Distinguished (D) divided by the total number of students tested.

$$(P + D) \div (\# \text{ of students tested})$$

- 1) The percentage of students scoring Proficient and above was calculated for each school.
- 2) The “at or above” Proficient percentages for all elementary schools were then ranked in descending order from the highest percentage to the lowest percentage. The total number of students tested at each school was also listed with this ranking.
- 3) Next, starting at the bottom of the list, with the lowest “at or above” Proficient percentage value, the number of students tested at each school was added incrementally until the cumulative number of students reached 20 percent of the total number of students in the state.
- 4) The percent “at or above” Proficient corresponding to the 20th-percentile school, i.e., the school at or below which 20 percent of the students in the state fell, became the starting point for reading at the elementary level in 2001-2002.

Once the above values were determined for reading and mathematics for elementary, middle and high school, the starting points for P-8, P-12 and 7-12 schools were then calculated. *The calculation for school districts was the same as for a P-12 school.* For reading, the following steps were used to set starting points:

- 1) For P-8 schools, the starting point for elementary school was first added to the starting point for middle school (i.e.,  $47.27 + 45.60 = 92.87$ ); this value was then divided by two to get the starting point (i.e.,  $92.87 / 2 = 46.44$ ).
- 2) For P-12 schools/districts, the starting points for elementary, middle and high school were first added (i.e.,  $47.27 + 45.60 + 19.26 = 112.13$ ); this value was then divided by three to get the starting point (i.e.,  $112.13 / 3 = 37.38$ ).
- 3) For 7-12 schools, the starting points for middle and high school were first added (i.e.,  $45.60 + 19.26 = 64.86$ ); this value was then divided by two to get the starting point (i.e.,  $64.86 / 2 = 32.43$ ).

Note: A similar process was used for mathematics for the same grade configurations.

The federal goal for AMOs is for all students to reach Proficiency in reading and in mathematics by 2014. Once the starting points were established, yearly goals were set. The federal law requires that the AMO must be increased at least every three years. The Kentucky Board of Education (KBE) adopted the approach of establishing two, three-year plateaus of performance toward the goal of 100% proficiency. More specifically, Kentucky has established separate reading and mathematics intermediate goals or AMOs for elementary, middle, and high school grades that begin with two plateau-periods of three years each, including the 2002 baseline year, where the AMO remains the same. The first increase in intermediate goals took place in the 2004-2005 school year, the second increase will take place in the 2007-2008 school year, and then the increases occur annually. This model allows schools time to understand and adjust to the new federal requirements.

The federal accountability NCLB report to be delivered to schools in August 2008 reflects these starting points and AMO targets. The report shows school performance measured against the AMO targets outlined on page 8. Intermediate goals for elementary, middle, and high school reading and mathematics will be applied to each school building, as well as to each subpopulation of sufficient size at the school-building level, to determine AYP status. When calculating the 2007-2008 results statewide for school districts, and for school buildings that span multiple grade levels, as well as for subpopulations within them, performance will be calculated as the percentage of students at proficient and distinguish across all grades in the school or district.

In the NCLB Reports described later, the observed percentage Proficient or above is represented by a diamond:



The diamond is positioned in the center of crossbar:



The length of the "I" from the diamond to the top or bottom crossbar represents the size of the confidence interval.

## **Percent Proficient or Above and Confidence Intervals**

NCLB also requires states to establish a definition of Proficient performance for purposes of determining AYP in reading and mathematics. At its August 2003 Board meeting, the Kentucky Board of Education decided that Kentucky would comply with the NCLB requirement by using its current definition of Proficient to make AYP decisions. School and district percentages of student scoring Proficient and Distinguished are compared to AMOs in making AYP decisions. Recall that NCLB does not award additional credit for Distinguished.

Since NCLB requires a state's evaluation of AYP to be statistically sound, the USDOE allows construction of a confidence interval (CI) or error band around percentages of students scoring Proficient or above. Confidence intervals for all students and subpopulations of *sufficient size* for reading and mathematics were constructed using a single sample *t*-test. The confidence interval or CI provides a test for whether or not the observed percent Proficient is statistically, significantly different from the AMO at the 99% confidence level.

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Note: the *t*-test is a two-tailed *t*-test – alpha (error) level set at .01 – which creates a statistical test at the 99% confidence interval. *For NCLB, only the positive (upper) range of the confidence interval is used for AYP determination.* Technically, this application makes the statistical test a one-tailed *t*-test for a 99.5% confidence interval.

If a school's observed percent Proficient falls **below** the AMO, but the upper boundary of the confidence interval is **above** the AMO, it is concluded that the observed percentage is *not significantly different* from the AMO percentage. The school is considered to have made AYP. On the other hand, if the school's observed percent Proficient falls below the AMO and the upper boundary of the confidence interval is also below the AMO, then the school is considered to have failed to have made the AMO and thus AYP.

The formulas used for NCLB AYP calculations are:

$$SE_P = \frac{\sqrt{(P(1-P)N \div (N-1))}}{\sqrt{(N)}}$$

Where:

**SE<sub>P</sub>** is the standard error of the proportion

**N** is the number or count of students.

$\sqrt{()}$  is the square root of the number within the parenthesis

The confidence interval (CI) used for NCLB is:

$$CI = P \pm (t\text{-critical})(SE_P)$$

*Note: the observed **P** in this case is a proportion. It is converted to a percentage for reporting.*

Where:

**CI** is the Confidence Interval

**P** is the proportion of students scoring Proficient or above

**t-critical** is the critical value for a two-tailed *t*-test at the .01 alpha level (99% CI) using degrees of freedom (*df*)

**SE<sub>P</sub>** is the standard error of the proportion (as calculated above).

Note: the shape of the *t*-distribution directly depends, not on the sample size per se, but on the degrees of freedom (*df*), which is the number of scores in a distribution that are free to take on any value. The degrees of freedom for a particular statistical test will equal the sample size minus the number of parameters that have to be estimated from the sample, or N minus the number of restrictions on the data.

For the confidence interval used for NCLB, the number of restrictions is 1. So degrees of freedom for the confidence interval is N - 1. This is the number that is used when looking up the critical value for *t*.

Each side of the confidence interval (positive and negative) would be added to the percent scoring at or above Proficient to obtain the upper and lower boundaries of the confidence interval in reading or mathematics.

If the confidence interval overlaps the AMO, then the *t*-test shows that the difference between the AMO and the observed percent Proficient and above is *not* statistically significant and the school is considered to have met the AMO. If the target value or AMO is *outside* the confidence interval range (and the confidence interval range is *below* the AMO), then the *t*-test shows a statistically significant difference between the AMO and the observed percent Proficient and above. The school, therefore, is considered *not* to have met the AMO.

It is important to remember that the application of the *t*-test for NCLB is through the confidence interval and this ensures that sampling error does not play a role in the evaluation of school results.

This chart allows you to visualize how the number of students and percent of students scoring “Proficient or Above” affect the confidence interval.

<b><u>Confidence Interval* by Number of Students and Size of Proportion</u></b>									
<b>Percent of Students Proficient or Above</b>									
<b>Number of Students**</b>	<b>10%</b>	<b>20%</b>	<b>30%</b>	<b>40%</b>	<b>50%</b>	<b>60%</b>	<b>70%</b>	<b>80%</b>	<b>90%</b>
<b>10</b>	± 32.50	± 43.33	± 49.64	± 53.07	± 54.16	± 53.07	± 49.64	± 43.33	± 32.50
<b>20</b>	± 19.69	± 26.25	± 30.08	± 32.15	± 32.82	± 32.15	± 30.08	± 26.25	± 19.69
<b>30</b>	± 15.36	± 20.47	± 23.46	± 25.08	± 25.59	± 25.08	± 23.46	± 20.47	± 15.36
<b>40</b>	± 13.01	± 17.34	± 19.87	± 21.24	± 21.68	± 21.24	± 19.87	± 17.34	± 13.01
<b>50</b>	± 11.49	± 15.31	± 17.54	± 18.76	± 19.14	± 18.76	± 17.54	± 15.31	± 11.49
<b>60</b>	± 10.40	± 13.86	± 15.88	± 16.98	± 17.33	± 16.98	± 15.88	± 13.86	± 10.40
<b>70</b>	± 9.57	± 12.76	± 14.61	± 15.62	± 15.95	± 15.62	± 14.61	± 12.76	± 9.57
<b>80</b>	± 8.91	± 11.88	± 13.61	± 14.55	± 14.85	± 14.55	± 13.61	± 11.88	± 8.91
<b>90</b>	± 8.37	± 11.16	± 12.79	± 13.67	± 13.95	± 13.67	± 12.79	± 11.16	± 8.37
<b>100</b>	± 7.92	± 10.56	± 12.10	± 12.93	± 13.20	± 12.93	± 12.10	± 10.56	± 7.92
<b>600</b>	± 3.16	± 4.21	± 4.82	± 5.16	± 5.26	± 5.16	± 4.82	± 4.21	± 3.16
<b>1,500</b>	± 2.00	± 2.66	± 3.05	± 3.26	± 3.33	± 3.26	± 3.05	± 2.66	± 2.00
<b>2,000</b>	± 1.73	± 2.30	± 2.64	± 2.82	± 2.88	± 2.82	± 2.64	± 2.30	± 1.73
*CIs in the table are percentages. See description above for details about how CIs are calculated.									
**Number of students (N) is used to compute degrees of freedom: $df = N - 1$ .									

**Safe Harbor** is the term used by many states, including Kentucky, to informally characterize the situation in which a school/district population (or one or more of its subpopulations) fails to meet its AMO, yet is held harmless, i.e., is treated as though it has achieved Adequate Yearly Progress as a result of other favorable conditions.

## **Safe Harbor**

The term “safe harbor” is not an NCLB term; however, Kentucky and other states are using the term informally to characterize the situation in which a school/district's population or one of its subpopulations of sufficient size fails to meet its AMO, yet is held harmless.

In other words, the school/district is treated as though it has achieved AYP, as a result of other favorable conditions.

*Before* safe harbor can be claimed, the participation rate must be 95% or above. The following conditions allow a school or district to claim "safe harbor" with respect to all students (or a subpopulation), when its AMO is not met.

### **If percent proficient & above for all students fails to meet the AMO, but ...**

The school reduces by at least 10% the number of all students who score below Proficient,

**and**

(a) The academic index is greater than or equal to 100,

**or**

(b) All students make progress on the academic index by 0.1,  
**then the school may claim safe harbor.**

#### **How Schools Fail AYP:**

- Did not meet AMO in reading.
- Did not meet AMO in mathematics.
- Did not improve other academic indicator:  
Elementary and Middle School: CATS classification of “Assistance” and did not grow at or above the state average.

High School: Didn't meet graduation rate target or improve graduation rate.

- Did not test 95% of all students, or student subpopulations of sufficient size.

### **If a subpopulation of sufficient size fails to meet the AMO, but ...**

The school reduces by at least 10% the number of subpopulation students who score below Proficient,

**and**

(a) The subpopulation academic index is greater than or equal to 100,

**or**

(b) The subpopulation makes progress on the academic index (the academic index increases by 0.1), **then the school may claim safe harbor.**

Until graduation rate data can be disaggregated by student subpopulation, the *Total Academic Index* will be used for safe harbor determination for high school's “other academic indicator.”

Safe harbor calculations are done *after* any averaging of AMO data still does not meet the AMO target.

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## **NCLB Consequences**

### **CONSEQUENCES ONLY APPLY TO TITLE I SCHOOLS AND DISTRICTS.**

When a Title I school fails to make AYP in the *same content area for two consecutive years*, a series of consequences are outlined in NCLB and are applied according to specific timelines.

**The AMO must be missed in the same content area (for whatever reason) for two consecutive years for consequences to apply.**

NCLB consequences do *not* apply when a school misses its AMO in reading and reaches its AMO in mathematics in one year and in the next year, misses its AMO in mathematics and makes its AMO in reading.

*It is important to note that if a school or district does not meet the requirement of the Other Academic Indicator, or does not test at least 95% of all enrolled students and each subpopulation of sufficient size, the school is considered to have missed its AYP in both reading and mathematics.* If such a school misses its AMO in reading or mathematics the following year, the school will be considered as missing its AMO in the same content area for two consecutive years.

**PARENT NOTIFICATION** (Notification to parents in school identified for NCLB improvement)

- What NCLB Improvement School identification means
- Reasons for identification
- What the school is doing to improve
- How parents can become involved
- What district and KDE are doing

**SCHOOL CHOICE** (Parents' option to transfer student)

- All students in school identified as a NCLB Improvement School may transfer
- Can transfer to another public school in district not identified as a NCLB Improvement School
- Priority given to lowest-achieving children from low-income families
- District pays for transportation

**COMPREHENSIVE SCHOOL IMPROVEMENT PLAN** to include:

- Scientifically-researched instructional strategies
- Practices to improve core academic subjects
- Specifics for 10% of school's Title I allocation for professional development
- Strategies to promote effective parent involvement

- 
- Extended school activities
  - Teacher-mentoring program

SUPPLEMENTAL EDUCATIONAL SERVICES offered include:

- Low-income students attending school identified as a NCLB Improvement School
- Tutoring and academic intervention outside of the regular school day
- Provider must be approved by state
- District may become provider

CORRECTIVE ACTION (District must do one of following)

- Replace school staff relevant to improvement
- Institute and implement new curriculum
- Decrease management authority
- Appoint an outside adviser
- Extend school day or year
- Restructure internal organization

RESTRUCTURING (District must prepare alternative governance arrangements by planning to implement one of the following)

- Replace all or most of staff relevant to failure
- Turn operation over to the state
- Determine any other major restructuring that makes fundamental reforms possible
- Implement if school continues not making AYP

The following provides information about the timing of consequences:

**Tier 1 of Consequences** (2 years not making AYP)

- Implement School Choice
- Write or revise School Plan

**Tier 2 of Consequences** (3 years not making AYP)

- Continue School Choice
- Revise School Plan
- Offer Supplemental Services

**Tier 3 of Consequences** (4 years not making AYP)

- Continue School Choice
- Revise School Plan
- Continue Supplemental Services
- Institute Corrective Action

**Tier 4 of Consequences** (5 years not making AYP)

- Continue School Choice
- Revise School Plan

**For 2008 NCLB reporting, consequences are capped at Tier 5 for schools and Tier 3 for districts. On the NCLB reports in the Tier of Consequences column, the second year in Tier 5 for schools is denoted as 5-2 and the second year in Tier 3 for districts is denoted as 3-2.**



- 
- Continue Supplemental Services
  - Continue Corrective Action
  - Write a Plan for Alternative Governance

#### **Tier 5 of Consequences** (6 years not making AYP)

- Continue School Choice
- Revise School Plan Continue Supplemental Services
- Continue Corrective Action
- Implement Alternative Governance

- NCLB requires school transfer within the district. KDE encourages districts to work with neighboring districts for transfer arrangements, if another school of the same level does not exist in the district. If a child moves, the original district must provide transportation to the new school as long as the original school remains an NCLB Improvement School. If the original school's status changes, the child may continue to attend the new school but parents may be asked to assume transportation responsibility.
- The replacement of staff would require due process and would have to be done within the constraints of the appropriate Kentucky Revised Statutes.
- A Highly Skilled Educator (HSE) could be an outside adviser.
- Restructuring has two components: developing the restructuring plan and implementing the plan the next year, if the school fails to make AYP again.

#### **➤ Removal from NCLB Tier Consequences**

- Districts must meet set requirements before removal of tier status occurs. To be removed from tier consequences a school/district must make AYP for two years consecutively in the same content area. Once a district has been removed they are no longer in jeopardy of being placed back into consequences unless two consecutive years are missed. If this were to occur, the entire tier consequence process would start over.

### **NCLB District Accountability Reports**

NCLB requires district-level accountability to be based on an aggregate of students' scores from all schools in the district. District accountability for subpopulations, based upon aggregated scores, is also required. Current statute authorizes the Kentucky Board of Education to establish district accountability by regulation, and the Board has promulgated a regulation to implement this federal requirement (703 KAR 5:130).

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## **Sample NCLB Report with Explanations**

The sample NCLB Report is for a P-12 school configuration. If a Title I school/district does not meet its AMO *in the same content area* two years in a row, NCLB consequences will apply the following school year. *If a school or district does not meet the criteria for the other academic indicator, or the participation rate was determined to be less than 95%, the school or district is considered to have missed AYP in both Reading and Mathematics and “No” would appear in both the Reading and Mathematics cells.* This is indicated on page two of the report, but *not* on page one under the heading Met Annual Measurable Objectives. If such a school misses it’s AMO in reading or mathematics the following year (for whatever reason), the school will be considered as missing AYP in the same content area for two consecutive years.

## NCLB Report 2008 AYP Results



# NO CHILD LEFT BEHIND ADEQUATE YEARLY PROGRESS REPORT - 2008

April 29, 2008

Number of targets met with percentage

**Any KY School**  
**Any DISTNAME**

Grades: PRIMARY-12  
Code: 999888

School and district name, school level, and school code

**Met 9 out of 10 target goals (90.0 percent)**

NCLB Bottom Line - Made Overall AYP?  
**Yes or No**

Title I: Yes  
Made Overall AYP: No

Title I status for 2008-2009 school year

Under the federal No Child Left Behind Act a school/district must make 100 percent as having made Adequate Yearly Progress (AYP).

Participation Rate Status:  
**Yes or No**

**AYP Summary Table**

Student Group *	Met Annual Measurable Objective		Met Participation Rate	Other Academic Indicator**
	Reading	Mathematics		
All Students	Yes	Yes	Yes	AMO status in Reading and Mathematics for All Students and each subpopulation
White (Non-Hispanic)	Yes	Yes	Yes	
African-American	n/a	n/a	n/a	
Hispanic	n/a	n/a	n/a	
Asian	n/a	n/a	n/a	
Limited English Proficiency	n/a	n/a	n/a	
Free/Reduced Lunch	Yes	Yes	Yes	"n/a" indicates an insufficient population for reporting
With Disability	n/a	n/a	n/a	

For other measures of school progress see Commonwealth Accountability Testing System (CATS) results at: <http://www.ed.ky.gov>

\* If a student group is listed as n/a in the chart, it means there were not enough students in that group at this school to get a result. Each student is included in the "All Students" group.

\*\*For elementary and middle schools, the "Other Academic Indicator" is the overall CATS 2006 Accountability Classification as well as reading and mathematics. For high schools the Other Academic Indicator is the Graduation Rate. The Other Academic Indicator for schools with middle and high school grades is both the CATS 2006 Accountability Classification and the Graduation Rate.

\*\*\*If a subpopulation doesn't meet its Annual Measurable Objective, it can still be in "Safe Harbor" and considered to have made AYP if:

- The school reduced by at least 10% the number of students in the subpopulation who are not proficient, and
- That subpopulation meets the criteria for demonstrating improvement on the Academic Index.



AMO targets in reading and mathematics by testing year



# Federal Accountability No Child Left Behind (NCLB) Adequate Yearly Progress Report Based on CATS Results

NCLB consequences by school year "Tier Status"

School: Any KY School  
District: Any DISTNAME  
Code: 999888  
Title I: Yes

School and district name, code, and Title I status

Testing Year	Annual Measurable Objective (AMO)		Adequate Yearly Progress (AYP) Summary			Consequences	
	Reading	Mathematics	Reading	Mathematics	Overall AYP	NCLB Tier	School Year
2001-02	37.38	19.57	N/A	N/A	N/A		2002-03
2002-03	37.38	19.57	No	No	No		2003-04
2003-04	37.38	19.57	Yes	Yes	Yes		2004-05
2004-05	45.21	29.62	No	Yes	No		2005-06
2005-06	45.21	29.62	No	No	No	1	2006-07
2006-07	45.21	29.62	Yes	Yes	Yes	1	2007-08
2007-08	53.04	39.68	No	No	No	2	2008-09
2008-09	60.86	49.73					2009-10
2009-10	68.69	59.79					2010-11
2010-11	76.52	69.84					2011-12
2011-12	84.35	79.89					2012-13
2012-13	92.17	89.95					2013-14
2013-14	100.00	100.00					2014-15

## Explanation of NCLB consequences

### No Child Left Behind Improvement School or District

A school or district that does not make AYP for two consecutive years in the same content area, reading or mathematics, is considered a No Child Left Behind Improvement School or District. A series of consequences (called "Tiers") is required of NCLB Improvement Schools for each subsequent year the school or district does not make overall AYP. Tier 1 of consequences begins after 2 consecutive years of not making AYP in the same content area.

### NCLB Consequences

Tier 1 of Consequences (2 years not making AYP): School choice, and write or revise school plan.  
Tier 2 of Consequences (3 years not making AYP): Continue school choice, revise school plan, and offer supplemental services.  
Tier 3 of Consequences (4 years not making AYP): Continue school choice, revise school plan, continue supplemental services and implement corrective action.  
Tier 4 of Consequences (5 years not making AYP): Continue school choice, revise school plan, continue supplemental services, continue corrective action, and write a plan for Alternative Governance.  
Tier 5 of Consequences (6 years not making AYP): Continue school choice, revise school plan, continue supplemental services, continue corrective action, and implement Alternative Governance.

### Other Academic Indicator

For elementary and middle schools, meeting the requirement for the Other Academic Indicator is defined as a:

- school classification of any category of Progressing or Meets Goal in the CATS 2006 Accountability Classification, OR
- school in the Assistance category which demonstrates growth in the accountability index at or above the state average for the specific grade-level configuration.

NCLB improvement on Graduation Rate means a Graduation Rate that:

- is equal to or greater than the corresponding annual goal, OR
- exceeds that of the prior year.

The application of the CATS 2006 Accountability Classification and the Graduation Rate as the NCLB "Other Academic Indicator" is lagged one year.

### Safe Harbor (Denoted by "Safe")

A school or district that has not met the reading or mathematics AMO, is considered to have met the objective in reading or mathematics if the school or district:

- reduces its percent of total students or subpopulation(s) (whichever group(s) did not meet the reading or mathematics annual measurable objective), scoring below proficient by 10%; AND
- students in the same population or subpopulation(s) meet the criteria for demonstrating improvement on the Academic Index.

The above table displays a summary of AYP decisions for reading, mathematics, and overall; and information about consequences.

### Adequate Yearly Progress (AYP)

AYP is the term used in the federal No Child Left Behind (NCLB) Act to categorize whether a school or school district has met federal accountability requirements. Three components combine to determine whether a school or school district achieves AYP:

- Annual Measurable Objectives (AMO) in reading and mathematics,
- Participation Rate, and
- Other Academic Indicator.

The other academic indicator differs depending on the grade level of the school. The other academic indicator for elementary and middle schools is the CATS 2006 Accountability Classification and for high schools it is the graduation rate.

To make AYP in reading, a school/district and each subpopulation of sufficient size must: 1) meet the AMO for reading, 2) have at least a 95% Participation Rate, AND 3) the school/district as a whole must meet the requirement of the Other Academic Indicator.

To make AYP in mathematics, a school/district and each subpopulation of sufficient size must: 1) meet the AMO for mathematics, 2) have at least a 95% Participation Rate, AND 3) the school/district as a whole must meet the requirement of the Other Academic Indicator.

For schools or districts that contain elementary, middle, and high school levels both the CATS 2006 Accountability Classification and Graduation Rate are used for the Other Academic Indicator. The school or district receives a yes or no in the overall AYP category based on whether a school/district has made AYP in reading and in mathematics.

It is important to note that if a school or district does not meet the requirement of the Accountability Index at the elementary and middle school levels and/or graduation rate at the high school level, or did not test at least 95% of all enrolled students and each subpopulation of sufficient size, the school is considered to have missed its AYP in both reading and mathematics.

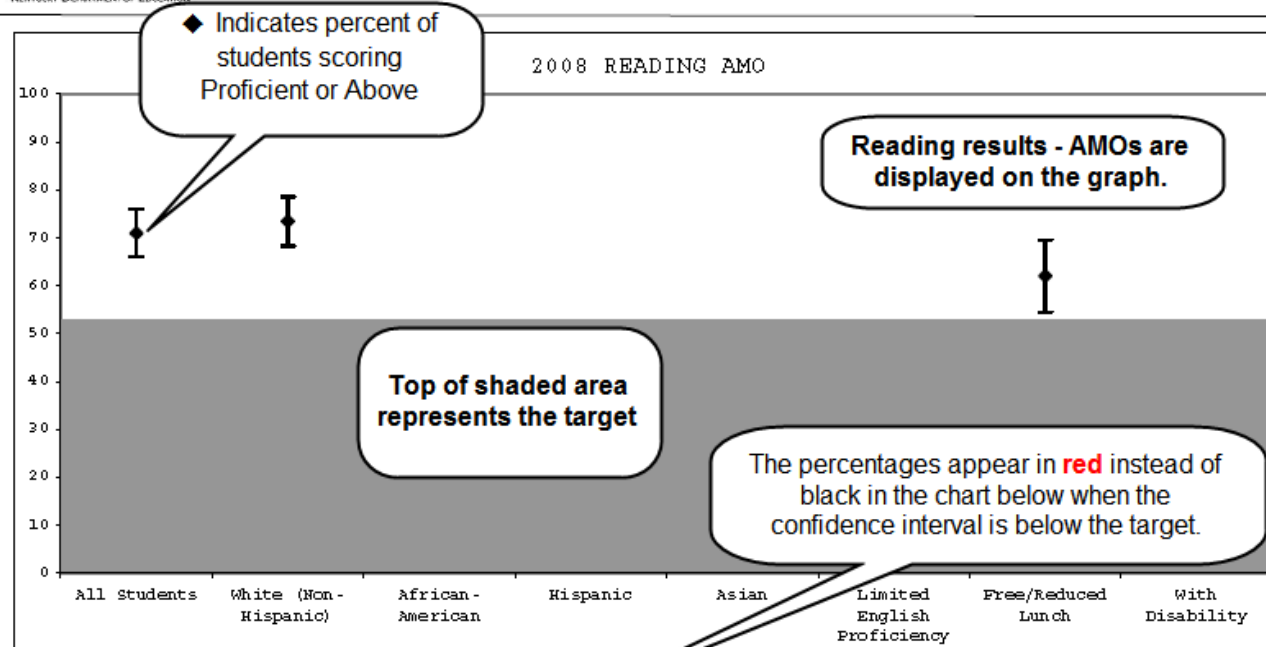
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**Federal Accountability  
No Child Left Behind (NCLB)  
Adequate Yearly Progress Report - 2008  
Based on CATS Results**

School: Any KY School  
District: Any DISTRICT

Subpopulation totals for AMO  
sufficient size for 2007 & 2008



	Reading AMO		Participation Rate		Other Academic Indicator(s)		
	2007 % Proficient	2008 % Proficient (Low, High)	2008 No. Students	2008 Percentage	Above Assistance 2007 (sch, state)	Graduation Rate 2006	2007
All Students	60.49	70.99 ( 66.06, 75.92)	673	100	Yes ( 8.0, 5.8)	85.33	x 81.63
White (Non-Hispanic)	60.57	73.48 ( 68.34, 78.62)	588	100	Denote: x - Below AYP Target		
African-American			60		s - Safe Harbor		
Hispanic			14		* - 15% of Population		
Asian			3		c - Combined LEP		
Limited English Proficiency			7		i - Improving		
Free/Reduced Lunch	49.59	62.02 ( 54.48, 69.56)	316	100			
With Disability			97				

- \* The graph above presents the 2007 percentage of students at or above proficiency with a 99% confidence interval.
- \* The top of the shaded area of the graph indicates the 2007 Annual Measurable Objective (AMO) target for reading.
- \* The 2007 percent proficient or above is presented in the table along with the low and high points of the confidence interval around the 2007 percentage.
- \* The areas highlighted in red indicate where Adequate Yearly Progress (AYP) was not made.
- \* Sufficient size for AMOs is: a) at least 10 students in the subpopulation in each grade where NCLB assessments are administered, AND b) at least 60 students in the subpopulation in these combined grades OR the number of students in the subpopulation is at least 15% of all students in these combined grades. (Accountable Students)
- \* Sufficient size for Participation is: a) at least 10 students in the subpopulation in each grade where NCLB assessments are administered, AND b) at least 60 students in the subpopulation in these combined grades. (Tested Students)

AMO Counts		2007	2008
All Students	3rd	72	89
	4th	88	88
	5th	76	76
	6th	85	82
	7th	82	84
	8th	76	76
	10th	92	90
	11th	80	80
	Total	652	666
White (Non-Hispanic)	3rd	70	74
	4th	85	72
	5th	76	72
	6th	82	74
	7th	82	71
	8th	75	67
	10th	92	79
	11th	80	73
	Total	642	582
African-American	3rd	1	11
	4th	0	13
	5th	0	2
	6th	1	6
	7th	0	10
	8th	1	7
	10th	0	6
	11th	0	5
	Total	2	60
Hispanic	3rd	0	1
	4th	2	3
	5th	0	1
	6th	0	1
	7th	1	2
	8th	0	2
	10th	0	2
	11th	0	1
	Total	2	12
Asian	3rd	1	0
	4th	0	0
	5th	0	0
	6th	0	0
	7th	0	1
	8th	0	0
	10th	0	2
	11th	0	0
	Total	1	2
Limited English	3rd	0	2
	4th	0	0
	5th	0	1
	6th	0	2
	7th	0	2
	8th	0	0
	10th	0	1
	11th	0	0
	Total	0	7
Combined LEP	3rd	25	46
	4th	25	50
	5th	27	25
	6th	26	40
	7th	29	42
	8th	26	28
	10th	44	36
	11th	23	26
	Total	275	212
Safe Harbor	3rd	21	9
	4th	20	16
	5th	11	12
	6th	13	10
	7th	13	14
	8th	9	16
	10th	16	7
	11th	9	10
	Total	112	95

Key for this page of the report

"Combined LEP" includes LEP students who have exited a LEP program within the last two years and are included in subpopulation for AMO calculations.

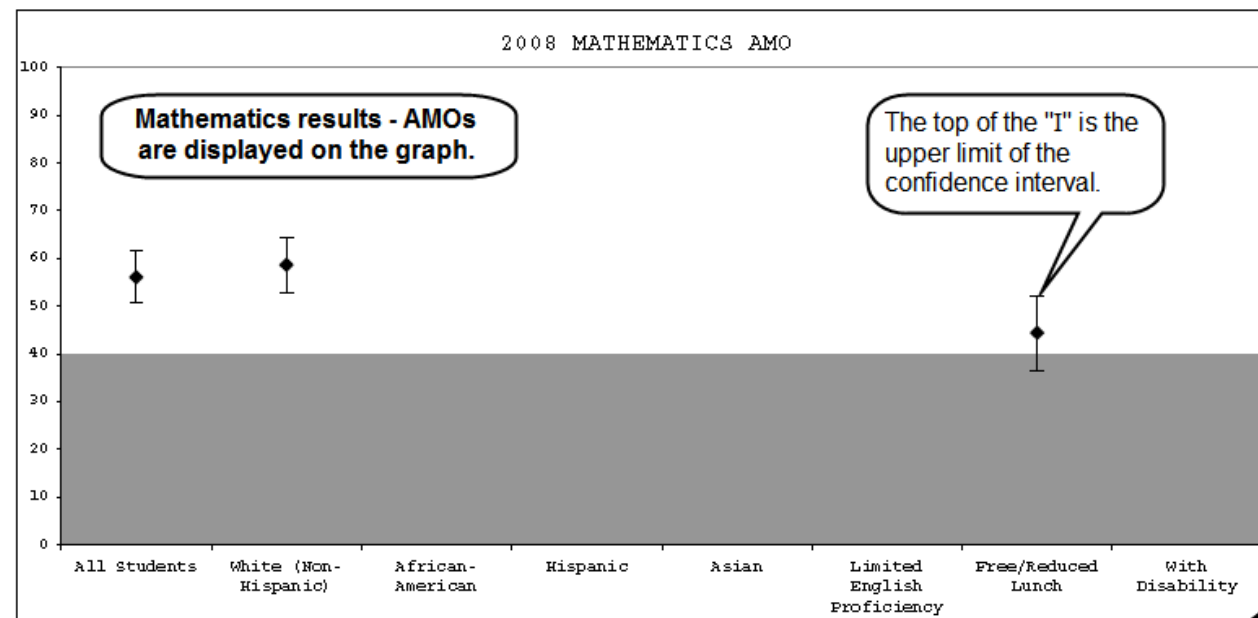
Run Date: 04/29/2008



**Federal Accountability  
No Child Left Behind (NCLB)  
Adequate Yearly Progress Report - 2008  
Based on CATS Results**

School: Any KY School

District: Any DISTNAME



	Mathematics AMO		Participation Rate		Other Academic Indicator(s)		
	2007	2008	2008		Above Assistance	Graduation Rate	
	% Proficient	% Proficient (Low, High)	No. Students	Percentage	2007 (sch, state)	2006	2007
All Students	48.75	56.08 ( 50.65, 61.51)	673	100	Yes ( 8.0, 5.8)	85.33	x 81.63
White (Non-Hispanic)	48.82	58.65 ( 52.88, 64.42)	588	100	Denote: x - Below AYP Target s - Safe Harbor * - 15% of Population c - Combined LEP i - Improving		
African-American			60				
Hispanic			14				
Asian			3				
Limited English Proficiency			7				
Free/Reduced Lunch	34.63	44.40 ( 36.55, 52.25)	316	100			
With Disability			97				

AMO Counts		2007	2008
All Students	3rd	72	89
	4th	88	88
	5th	76	76
	6th	85	83
	7th	82	84
	8th	76	76
	10th	92	90
	11th	80	80
	Total	652	666
White (Non-Hispanic)	3rd	70	74
	4th	85	72
	5th	76	72
	6th	82	74
	7th	82	71
	8th	75	67
	10th	92	79
	11th	80	72
	Total	642	582
African-American	3rd	1	11
	4th	0	12
	5th	0	2
	6th	1	6
	7th	0	10
	8th	1	7
	10th	0	6
	11th	0	5
	Total	3	60
Hispanic	3rd	0	1
	4th	2	3
	5th	0	1
	6th	0	1
	7th	1	2
	8th	0	2
	10th	0	2
	11th	0	1
	Total	3	12
Asian	3rd	1	0
	4th	0	0
	5th	0	0
	6th	0	0
	7th	0	0
	8th	0	1
	10th	0	0
	11th	0	2
	Total	1	3
Limited English Proficiency	3rd	0	2
	4th	0	0
	5th	0	1
	6th	0	1
	7th	0	2
	8th	0	0
	10th	0	1
	11th	0	0
	Total	0	7
Free/Reduced Lunch	3rd	25	46
	4th	35	50
	5th	27	25
	6th	26	40
	7th	29	42
	8th	26	28
	10th	44	26
	11th	22	26
	Total	275	312
With Disability	3rd	21	9
	4th	20	16
	5th	11	12
	6th	12	10
	7th	12	14
	8th	9	16
	10th	16	7
	11th	9	10
	Total	112	95

Other Academic Indicator(s) - "Above Assistance" applies to elementary and middle schools and "Graduation Rate" applies to high school.

Safe Harbor provides a second opportunity for a school/district to meet their AMO in reading and mathematics.

- \* The graph above presents the 2007 percentage of students at or above the AMO. The shaded area of the graph indicates the 2007 Adequate Yearly Progress (AYP) target for mathematics.
- \* The 2007 percent proficient or above is presented in the table.
- \* The areas highlighted in red indicate where Adequate Yearly Progress (AYP) was not met.
- \* Sufficient size for AMOs is: a) at least 10 students in the subgroup, AND b) at least 60 students in the subgroup.
- \* Sufficient size for Participation is: a) at least 10 students in the subgroup in each grade where NCLB assessments are administered, AND b) at least 60 students in the subgroup in these combined grades. (Tested Students)

Run Date: 04/29/2008

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**APPENDIX A**  
**Definitions for Implementation of NCLB**  
**for Districts and Schools, 2007 - 2008**

<b>Definitions for Implementation of NCLB for Districts and Schools, 2007 - 2008</b>		
<b>Issue</b>	<b>2007- 2008</b>	<b>Comments</b>
<b>Full Academic Year</b>  <b>703 KAR 5:001</b> <b>Sec. 1 (21), (22)</b>	One hundred (100) <i>instructional</i> days (not necessarily consecutive) of enrollment in a school, from the first day of school to the first day of testing window.	No change since 2003-2004
<b>Sufficient Size for Participation Rate</b>  <b>703 KAR 5:001</b> <b>Sec. 1 (35), (36), (52)</b>	Computed only when the school or district has 10 subpopulation students per accountability grade tested per year and 60 subpopulation students overall at the school in the accountability grades tested.	No change since 2006-2007 when additional grades were included. Kentucky regulation permits up to a three year average of data in the calculation of participation rate. In 2008, only two years of data in Kentucky's revised assessment system is available.
<b>Sufficient Size for Annual Measurable Objective (AMO)</b>  <b>703 KAR 5:001</b> <b>Sec. 1 (52)</b>	Both (1) and (2) below are required. Note that (2) may be accomplished in two ways: <b>(1)</b> 10 subpopulation students tested per grade per year; <b><u>and</u></b> <b>(2)</b> (a) 60 subpopulation students school-wide in the KCCT grades; <b><u>or</u></b> (b) Subpopulation count comprises 15% of all accountable students in the KCCT grades.	Size based on current year data only.  Tests used for 2008 NCLB reporting are:  KCCT Reading grades 3-8 & 10  KCCT Mathematics grades 3-8 & 11  KCCT Science grades 4, 7, & 11- administered but not reported on the NCLB report. Reported on the KPR.
<b>Calculation of Annual Measurable Objective (AMO)</b>  <b>703 KAR 5:020</b> <b>Sec. 10 (3), (9b)</b>  <b>703 KAR 5:130</b> <b>Sec. 8 (3), (7b)</b>	Calculations for 2008 NCLB reporting of Annual Measureable Objectives are based on current year data. If a school or district does not meet the AMO goal based on current year data, data may be averaged from performance of previous years.	Kentucky regulation permits up to a three year average of data in the calculation of participation rate. In 2008, only two years of data in Kentucky's revised assessment system is available.
<b>Other Academic Indicator</b>  <b>703 KAR 5:001</b>	Use of CATS biennial or mid-point classification for elementary and middle schools from the prior year. This indicator will be considered to be met if a school is classified as progressing (any category), meets goal, or if in assistance has demonstrated growth	No change since 2004-2005.



## Definitions for Implementation of NCLB for Districts and Schools, 2007 - 2008

Issue	2007- 2008	Comments
<p>Sec. 1, (11b), (12b), (13b)</p> <p>703 KAR 5:020 Sec. 10, (2b), (5b)</p> <p>703 KAR 5:130 Sec. 8, (2b), (5b)</p>	<p>in the accountability index at or above the state average for the specific grade-level configuration.</p> <p>Use of graduation rate from the prior year for high schools.</p>	
<p><b>Graduation Rate</b></p> <p>703 KAR 5:001</p>	<p>In addition to students who receive four-year diplomas, the following students qualify as graduates:</p> <ul style="list-style-type: none"> <li>Students, who do not graduate in four years, but have an Individual Education Plan (IEP) documenting their need for more than four years of secondary school education to complete their program.</li> </ul>	No change since 2003-2004.
<b>Drop-Out Count</b>	<p>Students in the school drop-out count include:</p> <ul style="list-style-type: none"> <li>Students who withdraw from a Kentucky school <i>and</i> do not enroll in another school or district or district-contracted General Educational Diploma (GED) program, or</li> <li>Students who enroll in a GED program, but do not earn their GED by October of the following year.</li> </ul>	No change since 2004-2005.
<b>Reporting Timeframe</b>	Final reports in August 2008 reflect both multiple choice and open response results for KCCT reading and mathematics for students given in Spring 2008.	.
<b>Safe Harbor</b>	Safe harbor provides a school/district that has not met the AMO in reading and mathematics a second opportunity to meet AMO by showing improvement in two specific ways. The school/district must have (1) reduced by 10% the percentage scoring below proficient of nay group that did not meet the AMO target in reading or mathematics AND (2) demonstrated improvement on the academic index (improve or equal 100 or more) for the same	Removed in 2006-2007 because of 1 year of data in the revised KCCT format, added in 2007-2008.

## Definitions for Implementation of NCLB for Districts and Schools, 2007 - 2008

Issue	2007- 2008	Comments
	student groups.	
<p><b>Limited English Proficient (LEP) Students</b></p> <p><b>703 KAR 5:070</b>  <b><i>Inclusion of Special Populations in the State-Required Assessment &amp; Accountability Program</i></b></p>	<p><b><u>First Year:</u></b>  New LEP students are counted in participation rate, but need not be included in AYP or CATS accountability.  New LEP students ...</p> <ul style="list-style-type: none"> <li>• Must be tested using a state-approved English language proficiency assessment.</li> <li>• Must be tested in mathematics (grades 5, 8, 11).</li> <li>• May be tested in reading (grades 4, 7, 10).</li> <li>• The English language proficiency test will be used for determining Participation Rate instead of reading.</li> </ul> <p><b><u>Second and Subsequent Years:</u></b></p> <ul style="list-style-type: none"> <li>• Must participate in all state-required assessments (except the Writing Portfolio which is not required in the second year).</li> <li>• The test scores of LEP students are included in AYP and the Commonwealth Accountability Testing System (CATS).</li> </ul> <p><b><u>LEP Subpopulation Membership:</u></b></p> <ul style="list-style-type: none"> <li>• Students must be retained in the LEP accountability subpopulation for up to 2 years following attainment of English proficiency as reflected on results of the state-approved English language proficiency test.</li> <li>• However, in connection with reporting subpopulation results, LEP students who have attained English proficiency may be excluded from <i>subpopulation size</i> computation.</li> </ul>	<p>No change since 2003-2004.</p>

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**APPENDIX B**  
**No Child Left Behind Reporting**  
**Kentucky 2008 Facts Sheet**

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## No Child Left Behind Reporting Kentucky 2008 FACT SHEET

**How do schools and districts make Adequate Yearly Progress (AYP)?**

**To make AYP, all students and student populations of sufficient size in the school and district must:**

- a) Meet annual measurable objectives (AMO), a target expressed as the percentage of students reaching the Proficient performance level, in reading and mathematics;**
- b) Show progress on the “Other Academic Indicator”**
  - a) prior year graduation rate at the high school level*
  - b) prior year classification of any category of meets goal or progressing **or** if in assistance, growth at or above the state average for the specific grade configuration at the elementary and middle school levels; and*
- c) Test at least 95% of enrolled students and all subpopulations of sufficient size.**

**What student groups are reported?**

All students; Race and Ethnicity: White (Non-Hispanic), African-American, Hispanic, and Asian; Limited English Proficiency; Economically Disadvantaged (Free and Reduced Lunch); and Students with Disabilities

**How many students enrolled for a full academic year (100 instructional days) must be in a group each year before the group reaches sufficient size?**

For reporting of Annual Measureable Objectives for Reading and Mathematics

- (a) 10 students per grade per year where NCLB assessments are administered; AND
- (b) 60 students when these grades are combined\* OR 15% of the accountable students

For reporting of Participation Rate for Reading and Mathematics

- (a) 10 students per grade per year where NCLB assessments are administered; AND
- (b) 60 students per these grades combined

*\* The Kentucky Core Content Tests (KCCT) in reading and mathematics are administered annually in grades 3—8 and once in high school—reading at grade 10 and mathematics at grade 11.*

To improve stability of data for student groups that are often small in number, NCLB permits states to use a confidence interval during reporting. Kentucky reports NCLB data with confidence bands.

**What is safe harbor?**

Safe harbor provides a school/district that has not met the AMO in reading or mathematics a second opportunity to meet AMO by showing improvement in two specific ways. The school/district must have (1) reduced by 10% the percentage scoring below proficient of any group that did not meet the AMO target in reading or mathematics AND (2) demonstrated improvement on the academic index (improve or equal 100 or more) for the same student groups.

**How is the graduation rate calculated for the high school “other academic indicator”?**

The “other academic indicator” is prior year data. The NCLB 2008 report of graduation rate is based on 2007 graduates. Schools meet this indicator if their graduation rate improved from 2006 or it is equal to or exceeds the state goal. The state goal for graduation rate for the 2008 report is 82.25.

Graduation rate  
is the quotient =

2007 on-time completers (standard diploma in 4 years & students whose IEPs stipulate they will need more than 4 years to obtain a standard diploma)

divided by

2007 all completers (including standard diploma, certificate of completion, and students taking more than 4 years to complete high school) + 2007 grade 12 dropouts + 2006 grade 11 dropouts + 2005 grade 10 dropouts + 2004 grade 9 dropouts

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## **Contact Information**

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